IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

CRL.A.No. 359 of 2005(C)

CC.397/2002 of JUDL. MAGISTRATE OF FIRST CLASS-I, KOCHI
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APPELLANT: COMPLAINANT

M/S.SREE SAKTHI PAPER MILLS LTD.,
HAVING ITS REGISTERED OFFICE AT "SREE KAILAS",
39/2724-A, PALIAM ROAD, COCHIN-682 016,
REP. BY ITS POWER OF ATTORNEY HOLDER,
V.VINOD KUMAR.

BY ADV. SRI.S.NIRMAL KUMAR

RESPONDENTS: ACCUSED NOS. 3 AND 4 AND STATE
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1. STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SHRI S.PADMANABHA PILLAI, PARTNER,
M/S.ANJANEYA ENTERPRISES, T.C.24/1648,
SUSHANTH, THYCAUD, TRIVANDRUM-14.

3. SMT.MEERA SADASIVAN,
W/O.P.V.SURESH KUMAR, PARTNER,
M/S.ANJANEYA ENTERPRISES, T.C.24/1648,
SUSHANTH, THYCAUD, TRIVANDRUM-14.

BY ADV. SRI.C.N.SREEKUMAR
SRI.K.MANOJ CHANDRAN
SRI. C.M. NAZAR, PUBLIC PROSECUTOR

THIS CRIMINAL APPEAL HAVING COME UP FOR ADMISSION ON 29/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl. Appeal No. 359 of 2005

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Dated: 29-11-2007

ORDER

The accused in C.C. No. 397 of 2002 on th**e file** of the J.F.C.M.-I, Kochi for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this Appeal, the parties have settled the matter. Crl.M.A.No. 12436 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the Appellant and the complainant. The said petition has been signed by both the Appellant as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the Appellant within the meaning of Sec. 320 (8) Cr.P.C.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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